

Remarks

The Office Action mailed July 29, 2005 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1, 2, 6-7, 9, 11-12, 16-17, 19, 21-22, 26-27, 29 and 31-45 are pending in this application. Claims 1, 2, 6-7, 9, 11-12, 16-17, 19, 21-22, 26-27, 29 and 31-45 are subject to a restriction requirement. Claims 31, 33-34, 36-37 and 39 have been amended. Claims 3-5, 8, 10, 13-15, 18, 20, 23-25, 28, and 30 have been previously canceled.

In response to the election requirement set forth in the Office Action, Applicants elect, with traverse, for prosecution in this application all claims of Group I as identified in the Office Action. Claims 1, 2, 6-7, 9, 11-12, 16-17, 19, 21-22, 26-27, 29, 32-33, 35, 38 and 40-45, drawn to a method and system for grouping assets, are in the elected claim group.

Reconsideration of the restriction requirement imposed under 35 U.S.C. § 121 is respectfully requested. The restriction requirement is traversed because the inventions set out by the claims in Groups I and II are clearly related. Applicants submit that a thorough search and examination of either of these claim groups would be relevant to the examination of the other group and would not be a serious burden on the Examiner. Indeed, the claims of Group I and Group II are encompassed by a single class (Class 705) and a single subclass (36R), and it is not evident how the searching of a single class and subclass could present an unreasonable burden on the Examiner. Because the claims in Groups I and II are encompassed by a single class and a single subclass, the assertion that the claim groups have acquired a separate status in the art because of their recognized divergent subject matter is respectfully traversed and submitted to be unsupportable on the present record. Therefore, to the extent that the restriction requirement relies on this assertion, it is respectfully submitted that the restriction requirement is improper and should be withdrawn.

The restriction requirement with respect to the claims in Groups I and II is further traversed. Applicants submit that the Office Action has not shown that the claims of Group I are

patentably distinct from the claims of Group II. Particularly, the Office Action has not shown that the claims of Groups I or II recite “two or more claimed subcombinations, disclosed as usable together in a single combination, and which can be shown to be separately usable” as required by MPEP § 806.05(d). Rather, the Office Action merely asserts that the “invention of group I may be used without the hybrid model defined in Group II” and that “Group II includes the limitation for a hybrid model for first and second portfolios.” Applicants respectfully traverse this assertion.

Applicants respectfully submit that the claims of Groups I include independent Claims 1, 11 and 21. Independent Claim 1 is directed to a “method for grouping assets included within a portfolio of assets for valuation purposes”. Independent Claim 11 is directed a “system for grouping assets included within a portfolio of assets for valuation purposes”. Independent Claim 21 is directed to a “computer configured for grouping assets included within a portfolio of assets for valuation purposes”. Claims 1, 11 and 21 recite using a classification and regression tree based model, and a simple model.

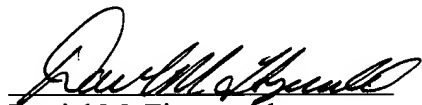
The claims of Group II include dependent Claims 31, 34, 36-37 and 39. Claim 31 depends from independent Claim 1. Dependent Claims 34 and 36 depend from independent Claim 11. Claims 37 and 39 depend from independent Claim 21. The claims of Group II recite using a “hybrid model”, which includes using the classification and regression tree based model recited in each of the independent claims for a first portfolio segment, and using the simple model recited in each of the independent claims for a second portfolio segment. Accordingly, Applicants submit that the claims of Group I are not patentably distinct from the claims of Group II. Rather, the claims of Group II merely recite using the models already recited in the claims of Group I as predictors for different portfolio segments included within a plurality of defined portfolio segments. Applicants therefore submit that the restriction requirement is improper and reconsideration of the election requirement is requested.

In addition, requirements for restriction are not mandatory under 35 U.S.C. Accordingly, reconsideration of the restriction requirement is requested.

Notwithstanding the arguments set forth above, although Applicants respectfully submit that the claims of Group I are not patentably distinct from the claims of Group II, Applicants have amended Claims 31, 33-34, 36-37 and 39 such that the term "hybrid model" is no longer recited in these claims. Therefore, the assertion included within the Office Action -- that the "invention of group I may be used without the hybrid model defined in Group II" and that "Group II includes the limitation for a hybrid model for first and second portfolios" -- no longer has any basis. Accordingly, Applicants respectfully request that the restriction requirement be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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